



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature  
Second Regular Session

Senate: HHS DP 6-2-0-0 | 3<sup>rd</sup> Read: 16-13-1-0

House: JUD DPA 5-4-0-1

## **SB 1514: hospitals; visitation; policy**

**Sponsor: Senator Barto, LD 15**

**Caucus & COW**

### **Overview**

Mandates hospitals must allow visitation to a patient and outlines requirements for the hospital's policies regarding family visitation.

### **History**

Current statute requires a hospital to provide notice of its visitation policy to patients. If a hospital's visitation policy allows in-person visitation of any kind, and if authorized by the patient, the hospital is required to allow clergy to visit the patient in-person for religious purposes. Clergy must comply with reasonable health and safety precautions imposed by hospitals with in-person visitation. If a hospital's visitation policy does not allow in-person visitation of any kind at all times or temporarily for health and safety reasons, the hospital is required to facilitate a virtual clergy visit. ([A.R.S. § 36-407.01](#)).

### **Provisions**

1. Repeals statute relating to hospital visitation and religious purposes. (Sec. 1)
2. Requires a hospital to provide its visitation policy to each patient or the patient's representative. (Sec. 2)
3. Mandates that the policy must allow the following:
  - a) The patient to be accompanied by at least two visitors of the patient's choosing; and
  - b) If a serious possibility exists that the patient will lose consciousness or die within 24 hours, for all members of the patient's immediate family and a clergy member of the patient's choosing to visit the patient immediately. (Sec. 2)
4. Stipulates that the hospital's visitation policy may not place time restrictions on patient visitation or exclude visitors from specified areas. (Sec. 2)
5. Allows hospital staff to ask visitors to leave upon the patient's request, for confidentiality or privacy purposes, or because of the visitor's conduct. (Sec. 2)
6. Requires the hospital to allow patients to communicate promptly and on-demand with any person of their choice. (Sec. 2)
7. Requires hospitals to have a policy addressing communication devices and outlines requirements. (Sec. 2)
8. States the hospital must notify a patient of the patient's right to visitation and the patient's right to petition a court if the right to visitation is not honored. (Sec. 2)
9. Outlines procedures for patients and hospitals to resolve visitation denials or disputes. (Sec. 2)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

10. Mandates the superior court in each county must hear claims for a violation of patient visitation within 48 hours, excluding holidays and weekends, and enter judgment within that time. (Sec. 2)
11. Defines *health care provider* and *immediate family member*. (Sec. 2)

### **Amendments**

#### *Committee on Judiciary*

1. Allows the superior court to hear claims telephonically of violations regarding patient visitation.
2. Authorizes the superior court to set an evidentiary hearing if the court does not have sufficient information to make a decision regarding preliminary injunctive relief.
3. Contains a legislative intent clause.